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JAN 08 2007

OFFICE OF PETITIONS

In re Application of :
Daniel P. H. Wu :
Application No. 10/699,267 : DECISION ON PETITION UNDER
Filing Date: October 31, 2003 : 37 C.F.R. §1.182
Attorney Docket Number: 14016 B :
Title: WHEEL BRACKET MECHANISM :
FOR AN ELECTRIC WHEELCHAIR :
EQUIPPED WITH AUXILIARY WHEELS :

This is a decision on the petition filed May 8, 2006, pursuant to 37 C.F.R. §1.182, requesting that the Office change the name of the sole inventor. Petitioner's representative has requested that the first name of the sole inventor was mistakenly given as "Daniel," when it should be listed as "Donald."

Petition fee requirement

The fee for filing a petition pursuant to 37 C.F.R. §1.182 is set forth in 37 C.F.R. § 1.17(f) as being \$400, with no reduction for small entity status. Petitioner's representative has included a check in the amount of \$130 with this petition, and the petition does not appear to contain an authorization to charge any deficiency to a Deposit Account.

Petitioner's representative will note that the last sentence of 37 C.F.R. §1.182 specifically sets forth "any petition seeking a decision under this section must be accompanied by the petition fee set forth in § 1.17(f)."

It follows that this petition must be **DISMISSED**.

Any reply must be submitted within **TWO MONTHS** from the mail date of this decision. Extensions of time under 37 C.F.R. §1.136(a) are permitted. The reply should include a cover letter entitled "Renewed Petition Under 37 C.F.R. 1.182." This is not a final agency action within the meaning of 5 U.S.C 704.

The renewed petition should indicate in a prominent manner that the attorney handling this matter is Paul Shanowski, and may be submitted by mail¹, hand-delivery², or facsimile³. Petitioner's representative should include the deficient \$270 on renewed petition.

If responding by mail, Petitioner's representative is advised not to place the undersigned's name on the envelope. Only the information that appears in the footnote should be included - adding anything else to the address will delay the delivery of the response to the undersigned.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225⁴. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanowski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office

1 Mail Stop Petition, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

2 Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA, 22314.

3 (571) 273-8300- please note this is a central facsimile number.

4 Petitioner's representative will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. §1.2. As such, Petitioner's representative is reminded that no telephone discussion may be controlling or considered authority for further action(s) of Petitioner's representative's.